Meeting Notice

Missouri Dental Board

January 16-17, 2014 @ 8:00 a.m.

Missouri Council of School Administrators
3550 Amazonas Drive
Jefferson City, Missouri, 65109

Notification of special needs as addressed by the Americans with Disabilities Act should be forwarded to the Missouri Dental Board, 3605 Missouri Boulevard, Jefferson City, Missouri 65109 or by calling 573-751-0040 to ensure available accommodations. The text telephone for the hearing impaired is (800) 735-2966.

Except to the extent disclosure is otherwise required by law, the Missouri Dental Board is authorized to close meetings, records and votes, to the extent they relate to the following: Chapter 610.021, Subsections (1), (3), (5), (7), (13), (14), and Chapter 324.001.8 and 324.001.9 RSMo.

The Missouri Dental Board may go into closed session at any time during the meeting. If the meeting is closed, the appropriate section will be announced to the public with the motion and vote recorded in open session minutes.

Please be aware that according to Missouri law, the Board can have open discussion and votes only on items included on the open agenda. If there is a topic you would like included on the open agenda, please notify the Board office not less than forty-eight (48) hours prior to the start of the meeting.

Please see the attached tentative agenda for this meeting.

cc: Members, Missouri Dental Board
Members, Advisory Commission for Dental Hygienists
Tina Crow Halcomb, Attorney-at-Law
Office of Administration
Vicki Wilbers, Executive Director, Missouri Dental Association
President, Missouri Dental Association
President, Missouri Dental Hygienists’ Association
Missouri Dental Assistants’ Association
Missouri Dental Assistants Educators
Jane Rackers, Director, Division of Professional Registration
Open Agenda
Missouri Dental Board
January 16 - 17, 2014

Missouri Council of School Administrators
3550 Amazonas Drive
Jefferson City, MO  65109

Thursday, January 16, 2014

1.  8:00 a.m. Call to Order Dr. Wallace
2.  Roll Call Ms. Polc
3.  Approval of the Agenda Dr. Wallace
4.  Motion to go into Closed Session Dr. Saladin
   Closed meeting pursuant to Sections 610.021 (1), (3), (5), (7), (13) and (14), RSmo, 324.001.8, RSmo and 324.001.9, RSmo.
5.  Anthony Rizzuti, D.D.S. Dr. Wallace
   •  1:00 p.m. – Disciplinary Hearing
6.  Kenneth P. Webb, D.M.D. Dr. Wallace
   •  3:00 p.m. – Disciplinary Hearing
7.  Motion to go into Closed Session Dr. Saladin
   Closed meeting pursuant to Sections 610.021 (1), (3), (5), (7), (13) and (14), RSmo, 324.001.8, RSmo and 324.001.9, RSmo.

The Board will remain in closed session until

Friday, January 17, 2014

Friday, January 17, 2014

8.  8:00 a.m. Call to Order Dr. Wallace
9.  Roll Call Ms. Polc
10. Approval of the Open Minutes Dr. Wallace
    •  October 24-25, 2013 Full Board
• October 17, 2013 Mail Ballot
• October 18, 2013 Mail Ballot
• November 15, 2013 Mail Ballot

11. Executive Director Report
   • Financial Statement
   Mr. Barnett

12. Dialogue with Associations
   • Missouri Primary Care Association
   • Missouri Dental Assistants Educators
   • Missouri Dental Hygienists’ Association
   • Missouri Dental Assistants Association
   • Missouri Dental Association
   Dr. Wallace

13. Presentation from Western Regional Examining Board
   Dr. Wallace

14. Request from Missouri College for approval of Expanded Functions Training Curriculum
   Dr. Wallace

15. Request from MDHA to consider a rule change to allow dental hygienists to administer local anesthesia under general supervision
   Dr. Wallace

16. Request for approval of Moderate Sedation Renewal Exam
   Dr. Wallace

17. Discussion of Including Capnograph as Required Sedation Monitoring Equipment

18. Request from Ozark Technical College for Approval as an Expanded Functions Course Provider
   Dr. Wallace

19. Request from Linn State Technical College for Approval as an Expanded Functions Course Provider
   Dr. Wallace

20. Review and Approval of CRDTS/WREB Examiners
   Dr. Wallace

21. CRDTS and WREB Reports
   Dr. Wallace

22. Future Meeting Schedule
   Dr. Wallace

23. Motion to go into Closed Session
   Closed meeting pursuant to Sections 610.021 (1), (3), (5), (7), (13) and (14), RSMo, 324.001.8, RSMo and 324.001.9, RSMo.
   Dr. Saladin

Adjournment
The open meeting of the Missouri Dental Board was called to order by Dr. Kevin Wallace, President, at approximately 8:08 a.m. on Thursday, January 16, 2014 at the Missouri Council School Administrators, 3550 Amazonas Drive, Jefferson City, Missouri.

BOARD MEMBERS PRESENT:
Dr. Kevin D. Wallace, President
Dr. Mark F. Saladin, Vice President
Ms. Deborah K. Polc, R.D.H., Secretary
Dr. Eric J. Aubert, Member
Mr. Randall Relford, Public Member
Dr. Bryan Chapman, Member

STAFF MEMBERS PRESENT:
Brian Barnett, Executive Director
Rhonda Robinett-Fogle, Licensing Supervisor
Kevin Davidson, Investigator II
Vickie Holtmeyer, Investigator I
Tracie Pfaff, Investigator II

LEGAL COUNSEL PRESENT:
Sarah Ledgerwood, Division Counsel
Tina Crow-Halcomb, Litigation Counsel

To better track the order in which items were taken up on the agenda, each item in the minutes will be listed in the order it was discussed in the meeting.

APPROVAL OF THE AGENDA
A motion was made by Ms. Polc and seconded by Dr. Aubert to approve the open agenda as written. The motion carried unanimously.

CLOSED SESSION
At approximately 8:07 a.m., a motion was made by Dr. Saladin and seconded by Dr. Aubert to move into closed session pursuant to Chapter 610.021, sections (1), (3), (5), (7), (13) and (14), RSMo, and Chapter 324.001.8 and 324.001.9, RSMo, for the purpose of discussing general legal actions, causes of action or litigation and any confidential or privileged communications between the Board and its attorney, and approval of closed
minutes. Those voting yes: Dr. Aubert, Dr. Saladin, Ms. Polc, Dr. Wallace, Mr. Relford and Dr. Chapman. The motion carried 6 to 0.

ANTHONY RIZZUTI, D.D.S. DISCIPLINARY HEARING
At approximately 1:43 p.m., the Board began its disciplinary hearing in the matter of Missouri Dental Board, Petitioner, v. Anthony Rizzuti, D.D.S., Respondent, Case Number 12-1158 DB. The record will show that Dr. Rizzuti was not present but was represented by counsel; Thomas W. Rynard, Blitz Bardgett & Deutsch, L.C. The hearing was recorded by a court reporter and a transcript of the hearing will be retained as a permanent record of the Board. The hearing concluded at approximately 2:03 p.m.

KENNETH WEBB, D.M.D. DISCIPLINARY HEARING
The 3:00 p.m. disciplinary hearing of Dr. Webb was continued until the April 2014 board meeting.

CLOSED SESSION
At approximately 2:14 p.m., a motion was made by Dr. Saladin and seconded by Dr. Aubert to move into closed session pursuant to Chapter 610.021, sections (1), (3), (5), (7), (13) and (14), RSMo, and Chapter 324.001.8 and 324.001.9, RSMo, for the purpose of discussing general legal actions, causes of action or litigation and any confidential or privileged communications between the Board and its attorney, and approval of closed minutes. Those voting yes: Dr. Aubert, Dr. Saladin, Ms. Polc, Dr. Wallace, Mr. Relford and Dr. Chapman. The motion carried 6 to 0.

FRIDAY, January 17, 2014
The Board reconvened in open session at approximately 8:01 a.m. on Friday, January 17, 2014. The meeting was called to order by Dr. Kevin Wallace, at the Missouri Council School Administrators, 3550 Amazonas Drive, Jefferson City, Missouri.

BOARD MEMBERS PRESENT:
Ms. Deborah K. Polc, R.D.H., President
Mr. Randall Relford, Vice President
Dr. Mark F. Saladin, Secretary
Dr. Kevin D. Wallace, Member
Dr. Bryan Chapman, Member

BOARD MEMBERS ABSENT:
Dr. Eric J. Aubert, Member

STAFF MEMBERS PRESENT:
Brian Barnett, Executive Director
Rhonda Robinett-Fogle, Processing Technician Supervisor
Kevin Davidson, Investigator II
Vickie Holtmeyer, Investigator I
Tracey Pfaff, Investigator II
LEGAL COUNSEL PRESENT:
Sarah Ledgerwood, Division Counsel

GUESTS PRESENT:
Deb Adams, Advisory Commission for Dental Hygienists
Sherry Powell, Missouri Dental Hygienists’ Association
Diann Bomkamp, Missouri Dental Hygienists’ Association
Rolfe McCoy, Missouri Dental Association
Merle Nunemaker, Missouri Dental Association
Vickie Wilbers, Missouri Dental Association
Patrick Baker, Missouri Dental Association
Karen Reiner, President, Missouri Dental Hygienists’ Association
Linda Twehous, Missouri Dental Assistants Educators
Nathaniel “Tip” Tippet, President, Dental Director, Western Regional Examining Board
Kelly Reich, Dental Hygiene Director, Western Regional Examining Board
Rebecca Caceres, Ozarks Technical Community College
Janet Sell, Missouri Dental Assistants Educators
Roberta Brown, Missouri Dental Hygienists’ Association

APPROVAL OF THE MINUTES
A motion was made by Ms. Polc and seconded by Mr. Relford to approve the open minutes of the October 24-25, 2013 Full Board meeting as written. The motion carried unanimously.

A motion was made by Dr. Saladin and seconded by Mr. Relford to approve the mail ballot open minutes of the October 17, 2013 mail ballot as written. The motion carried unanimously.

A motion was made by Ms. Polc and seconded by Mr. Relford to approve the mail ballot open minutes of the October 18, 2013 mail ballot as written. The motion carried unanimously.

A motion was made by Ms. Polc and seconded by Mr. Relford to approve the mail ballot open minutes of the November 15, 2013 mail ballot as written. The motion carried unanimously.

EXECUTIVE DIRECTOR REPORT
Financial Statement
Mr. Barnett provided the Board with the following Financial Statement as of October 31, 2013.

| Missouri Dental Board FY-2014 Financial Statement As of October 31, 2013 |
|-------------------------------|-----------------------------|
| **Beginning Fund Balance – 7/1/013** | $2,627,897.24 |
| **YTD Revenue** | $39,320.00 |

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Mr. Barnett stated the Board needs to talk about a fee reduction. Mr. Barnett stated the Board has cut expenses by roughly sixty percent (60%) so the board’s fund balance has grown. Mr. Barnett said this coupled with the last two (2) renewals where that Board has not had as many licensees not renew. Additionally, Mr. Barnett stated the number of dental hygiene licenses has increased immensely resulting in the Board having a higher licensee count than what the Board had in years past. Mr. Barnett stated overall the revenue has not leveled off, at the same time the Board has been cutting expenses. Mr. Barnett stated that the Board made a significant fee decrease for the last renewal; however, if the Board does not make another fee reduction then the board fund will be getting awfully close to the sweep calculation.
Mr. Barnett informed the Board that he has worked up different fee reduction scenarios and revised the five (5) year projections and he has come up with the following proposal, to decrease the dental, dental specialist, and dental hygiene renewals by twenty dollars ($20.00) each.

A motion was made by Dr. Saladin and seconded by Ms. Polc to approve a renewal fee decrease for the 2014-2016 license renewal, thus reducing the dentist and dental specialist renewal fees from two hundred twenty dollars ($220.00) down to one hundred eighty dollars ($180.00), and the dental hygienist renewal fee from one hundred dollars ($100.00) down to sixty dollars ($60.00). The motion carried unanimously.

Legislative Report
Mr. Barnett stated it is early in the Legislative Session and he does not have anything to report on at this time.

DIALOGUE WITH ASSOCIATIONS
Missouri Primary Care Association (MPCA)
There were no representatives for the MPCA at this meeting.

Missouri Dental Assistants Educators (MDAE)
Ms. Janet Sell and Linda Twehous we present and reported on MDAE. Ms. Sell stated they had a meeting that was scheduled December 6, 2013 where they were scheduled to discuss the Missouri Basics Skills Test and then the meeting was cancelled due to inclement weather; however, it will get rescheduled and they will have a report on in the next couple of months or so. In the meanwhile, they have been working with the MDA. Ms. Twehous said one nice thing working with the MDA is that the MDA gave them access so they could preview the curriculum so they would not be behind and they greatly appreciate it. Ms. Sell said that she has received the new curriculum and she has it uploaded on her blackboard/online course. Ms. Sell stated the courses she is teaching this semester with their dental assistant and dental hygiene students are actually all getting the new curriculum and the weekend courses that Ms. Sell provides is getting the new curriculum as well.

Missouri Dental Hygienists’ Association (MDHA)
Ms. Karen Reiner, President of the MDHA introduced their President Elect, Roberta “Bobby” Brown to the Board.

Ms. Reiner stated they had an awesome annual session that was held on November 1, 2013 at Camden on the Lake. Ms. Reiner said they exceeded all past attendances, so they had record attendance. Mr. Reiner stated the annual session had great speakers, great exhibitors and she has highest regards for the Planning Committee.
Ms. Reiner informed the Board that they are looking forward to their lobby day that is coming up that is also well attended in the past.

Ms. Reiner stated the MDHA has between four (4) and six (6) meetings a year.

**Missouri Dental Assistants Association (MDAA)**
There were no representatives for the MDAA at this meeting.

**Missouri Dental Association (MDA)**
Dr. Merle Nunemaker, MDA President welcomed Dr. Chapman as a new Board Member. Dr. Nunemaker stated the MDA enjoys their relationship with the Missouri Dental Board although the MDA and the Board do not agree on issues from time to time. Dr. Nunemaker stated that Ms. Vickie Wilbers and Mr. Patrick Baker were at committee meetings as it is in the middle of their winter session; the session is being held in Columbia, MO at the Holiday Inn January 17-18, 2014. Dr. Nunemaker said that Ms. Wilbers is taking part in the Changing Face of Healthcare Committee and Mr. Baker is with the LRC Commission this morning. Dr. Nunemaker presented the Board a brief run-down on the legislative agenda for the year. Dr. Nunemaker stated last year MDA got the Medicaid Carve Out put into Statute so they are working with DHSS on implementing it. Dr. Nunemaker said that Medicaid Reimbursement is an ongoing issue they have been trying to deal with; he said both the House and Senate have been working on Medicaid Reform with their interim committees. Dr. Nunemaker informed the Board that another issue they are working on is silent PPOs where a network is sold to a company that you have not signed up with and then all of a sudden someone shows up in your office indicating you are a provider and of course you did not know you were a provider; Dr. Nunemaker stated the language was just approved by their Board yesterday for a Bill and hopefully it will be filed within the next week; however, he does not have a Bill number yet. Dr. Nunemaker also stated that this will probably be the only specific Bill the MDA will have this year.

In addition, Dr. Nunemaker said their House of Delegates met in November 2013; and there were a number of assorted resolutions that were passed. Dr. Nunemaker discussed one was Ergonomics on Education, and said a letter was sent to all dental and dental hygiene programs to urge a bit more emphasis on ergonomics. Dr. Nunemaker said they have already heard back from UMKC and they said UMKC was already in the process of trying to incorporate it in their curriculum more.

Dr. Nunemaker said they won’t be having a student delegate from Kirksville, Missouri School of Dentistry and Oral Health.

Dr. Nunemaker also stated incurred medical expense is something that would be a way of getting funding for dentist to see nursing home residents; however, the problem is right now one of the only adult populations covered by Medicaid in Missouri is those that are in nursing homes, then you get back to the low reimbursement rate and most dentists can’t simply afford to make that work.
Dr. Nunemaker said another resolution that was put forth was regarding local
anesthesia and the House reaffirmed policy as keeping rules as they are for direct and
indirect supervision.

PRESENTATION FROM WESTERN REGIONAL EXAMING BOARD
Dr. Nathaniel “Tip” Tippett, President Elect, WREB and Ms. Kelly Reich, Dental Hygiene
Consultant, WREB give a presentation to the Board about the structure and function of
the Western Regional Examining Board (WREB).

REQUEST FROM MISSOURI COLLEGE FOR APPROVAL OF EXPANDED
FUNCTIONS TRAINING CURRICULUM
A motion was made by Dr. Saladin and seconded by Ms. Polc to approve the request
from expanded functions training curriculum of Missouri College. The motion carried
unanimously.

REQUEST FROM MDHA TO CONSIDER A RULE CHANGE TO ALLOW DENTAL
HYGIENISTS TO ADMINISTER LOCAL ANESTHESIA UNDER GENERAL
SUPERVISION
At the last meeting the Board asked Ms. Diann Bomkamp, Missouri Dental Hygienists’
Association to do some research on liability for dentists and dental hygienists if
hygienists would be allowed to administer local anesthesia under general supervision.
Ms. Bomkamp stated she found out the rule of thumb is that if something is allowed
under the practice act then the liability change is nonexistent.

Ms. Bomkamp also contacted other state boards to see if there had been any
complaints or problems, and she was not informed of any complaints or problems with
other boards regarding this issue; however, she was unable to contact Colorado. Ms.
Bomkamp informed the Board that Oregon has been doing this for thirty five (35) years
without any complaints.

Ms. Bomkamp stated the Missouri Dental Association is opposed to allowing dental
hygienists to administer local anesthesia under general supervision.

Ms. Polc commended Ms. Bomkamp on her research and presentation to the Board.

Discussion only, no motions were made.

REQUEST FOR APPROVAL OF MODERATE SEDATION RENEWAL EXAMINATION
Mr. Barnett explained the competency examination requirement for renewal of moderate
sedation permits. In order to renew a permit to administer enteral, parenteral, or
pediatric moderate sedation among other requirements, shall obtain a passing grade
after completing the American Dental Society of Anesthesiology Conscious Sedation
Fellowship Exam or other board approved exam. The examination must be completed
every five (5) years as per 20 CSR 2110-4.020(14)(B).
A motion was made by Dr. Saladin and seconded by Ms. Polc to approve the moderate renewal sedation equivalent examination as presented by Dr. Michael Hoffman. The motion carried unanimously.

**DISCUSSION OF INCLUDING CAPNOGRAPH AS REQUIRED SEDATION MONITORING EQUIPMENT**
A motion was made by Dr. Saladin and seconded by Ms. Polc to promulgate a rule change for the Capnograph to be added to the equipment list as a piece of required monitoring equipment in 20 CSR 2110-4.030 (10)(E). The motion carried unanimously.

**REQUEST FROM OZARK TECHNICAL COLLEGE FOR APPROVAL AS AN EXPANDED FUNCTIONS COURSE PROVIDER**
A motion was made by Dr. Saladin and seconded by Ms. Polc to approve Ozark Technical College as an expanded functions course provider. The motion carried unanimously.

**REQUEST FROM LINN STATE TECHNICAL COLLEGE FOR APPROVAL AS AN EXPANDED FUNCTIONS COURSE PROVIDER**
A motion was made by Dr. Saladin and seconded by Ms. Polc to approve Linn State Technical College as an expanded functions course provider pending confirmation they have acquired the Missouri Dental Association’s curriculum. The motion carried unanimously.

**REVIEW AND APPROVAL OF CRDTS/WREB EXAMINERS**
A motion was made by Ms. Polc and seconded by Dr. Saladin to approve the CRDTS list as presented with the amendment of removing Dr. Rolfe McCoy. The motion carried unanimously.

A motion was made by Ms. Polc and seconded by Dr. Saladin to approve the WREB list as presented with the amendment of adding Dr. Bryan Chapman. The motion carried unanimously.

**CRDTS AND WREB REPORTS**
No verbal reports, discussion, or motions on CRDTS.

Dr. Saladin reported that WREB starting last year, the Dental Exam Review Committee began meeting twice yearly. Dr. Saladin stated he will be attending the upcoming meeting that will be held on February 21, 2014 in Scottsdale, AZ.

**FUTURE MEETING SCHEDULE**
The Board set a conference call meeting for Tuesday, February, 2014 and a full Board meeting for January 15-16, 2015.

**ADDITION TO EXECUTIVE DIRECTOR REPORT**
Mr. Barnett announced that he needs to go the AADA meeting in Chicago, IL on April 6, 2014 as he was nominated secretary.
Mr. Barnett stated he would like to add an agenda item to the next full board meeting agenda. Mr. Barnett said he would like the Board to consider some rule language for infection control. Mr. Barnett discussed board Statute 332.321 and then said he stated he would like the Board to promulgate a rule that clarifies that the standard for infection control in a dental office is that Centers for Disease Control of the United States Public Health Service (CDC) guidelines for infection control in dental healthcare settings.

Mr. Barnett read the tentative language that he has written thus far to the Board. The board concurred to place the rule proposal on the April 2014 meeting agenda for full consideration.

Discussion only, no motions were made.

CLOSED SESSION
At approximately 1:14 p.m., a motion was made by Mr. Relford and seconded by Ms. Polc to move into closed session pursuant to Chapter 610.021, sections (1), (3), (5), (7), (13) and (14), RSMo, and Chapter 324.001.8 and 324.001.9, RSMo, for the purpose of discussing general legal actions, causes of action or litigation and any confidential or privileged communications between the Board and its attorney, and approval of closed minutes. Those voting yes: Dr. Aubert, Dr. Saladin, Ms. Polc, Dr. Wallace, Mr. Relford and Dr. Chapman. The motion carried 6 to 0.

ADJOURNMENT
There being no further open business to be brought before the Board at this time, a motion was made by Ms. Polc and seconded by Mr. Relford that this meeting adjourn. The motion carried unanimously. The meeting adjourned at approximately 3:05 p.m.

Respectfully submitted,

Rhonda Robinett-Fogle, Processing Technician Supervisor

________________________________
Brian Barnett, Executive Director

Approved by the Board on: ____________